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April 4, 2007

Michael A. Roberts, Esq.
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RE: Jefferson-Pilot Life Insurance Company v.
Christopher L. Kearney

Dear Mike:

Thank you for providing us with Mr. Kearney's tax returns. We have not, however, received a response to our March 22, 2007 letter which requested that you comply with the Court's Order and return any and all copies of the Jefferson-Pilot/DMS Administrative Services Agreement acquired from any source. We would like to have those back so that we too can comply with the Court's order.

We also requested, in that letter, that you provide us with dates for the depositions of Dr. Judd-McClure, Dr. Patel, Dr. Lehenbauer, Dr. Henderson, and Shawn Barnhart. We would like to avoid any unnecessary disputes which may arise from having to set these depositions unilaterally, without regard for your schedule. Please advise us of the soonest available dates for these depositions.

In addition, we requested that you make a more complete response to Interrogatories Nos. 3, 9, 10, 17 and 18. We also asked that you clarify your response to Interrogatory No. 4. Finally, we asked you to reconsider your refusal to respond to interrogatory No. 24 and Document Request No. 29.



Michael A. Roberts, Esq.
April 4, 2007
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To date we have not received any response to the foregoing. As you are aware time is of the essence and we need to conclude our discovery as soon as possible.

Please provide us with your response to our letter of the 22nd of last month as well as this letter as soon as possible so that we can properly move this case forward within the time allotted.

As you are aware, we have expressed to you and to the Court, our intention to file a Motion for Summary Judgment on all remaining claims and require the completion of the requested discovery well in advance of the filing date.

Thank you for your anticipated professional cooperation in moving this case to its conclusion.

Very truly yours,

William R. Ellis

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